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Attorneys for Defendant Uintah Basin Healthcare

**IN THE UNITED STATES DISTRICT COURT,
IN AND FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

JASON RASMUSSEN et al., on behalf of
themselves and all others similarly situated;

Plaintiffs,

vs.

UINTAH BASIN HEALTHCARE, a Utah non-
profit corporation;

Defendant.

**MOTION FOR LEAVE TO FILE UNDER
SEAL EXHIBIT 12 AND EXHIBIT 13 TO
DEFENDANT’S MOTION TO DISMISS
PLAINTIFFS’ COMPLAINT UNDER
FEDERAL RULES OF CIVIL
PROCEDURE 12(b)(1) and 12(b)(6), OR IN
THE ALTERNATIVE, SUMMARY
JUDGMENT UNDER RULE 56**

2:23-cv-00322-HCN-DBP

Judge Howard C. Nielson, Jr.
Chief Magistrate Judge Dustin B. Pead

Pursuant to DUCivR 5-3(b)(1) Defendant Uintah Basin Healthcare (“UBH”) files this contemporaneous Motion for Leave to File Under Seal with the proposed sealed copies of Exhibit 12 and Exhibit 13.

There is good cause to seal the unredacted versions of Exhibits 12 and 13 to UBH’s Motion to Dismiss. *See* DUCivR 5-3(a)(1). Exhibits 12 and 13 are UBH’s HIPAA Audits for

2021 and 2022, respectively. These audits analyze and assess UBH's HIPAA security risk. The audits are highly confidential, private documents that contain sensitive cyber-security information. UBH only seeks to seal the sections of the audits which identify potential threats and vulnerabilities as well as the risk assessment results. There is good cause to permit UBH to file the unredacted versions of the audits under seal. If this information were publicly disclosed, there is a risk that threat-actors may try to capitalize on any identified vulnerabilities and use it for improper purposes, creating a heightened risk to UBH's information.

UBH only seeks to redact and file under seal the portions of the audits which are highly confidential and would create a heightened risk to security. Thus, the Motion is narrowly tailored to seek protection of only the specific information that UBH alleges is truly deserving of protection. *See* DUCivR 5-3(b)(2)(A). UBH seeks to seal the unredacted copies indefinitely. *See id.* at 5-3(b)(2)(B). Accordingly, UBH respectfully requests this Court grant its Motion for Leave to File Under Seal.

DATED this 16th day of October, 2023.

HOLLAND & HART LLP

/s/ Blaine J. Benard

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